

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of a utility or plant  
Application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

DEC 02 2004  
PATENT AND TRADEMARK OFFICE  
SEARCHED INDEXED  
RCE/12172  
JRW

Application Number: 09/924,259  
Filing Date: August 7, 2001  
First Named Inventor: Lyakovetsky, et al.  
Group Art Unit: 2172  
Examiner Name: Anh Ly  
Attorney Docket Number: 0001589USU/2257  
CUSTOMER NO.: 27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. \_\_\_\_\_ Previously submitted

i. \_\_\_\_\_ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).

ii. \_\_\_\_\_ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. \_\_\_\_\_ Other \_\_\_\_\_

b. XXXXXX Enclosed

i. XXXXXX Amendment/Reply

ii. \_\_\_\_\_ Affidavit(s)/Declaration(s)

iii. \_\_\_\_\_ Information Disclosure Statement (IDS) and PTO-1449

iv. XXXXXX Other Extension of Time (2 mo. - \$215 – Small Entity)

2. **Miscellaneous**

a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. XXXXXX Other The undersigned attorney verifies that the Applicant is entitled to claim small entity status

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. XXXXXX The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.

i. XXXXXX RCE fee (\$395.00-small entity) required under 37 C.F.R. §1.17(e)

ii. XXXXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. \_\_\_\_\_ Other \_\_\_\_\_

b. XXXXXX Check in the amount of \$ **\$610.00** enclosed

c. \_\_\_\_\_ Payment by credit card (Form PTO-2038 enclosed)

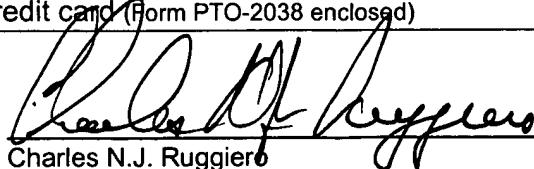
November 29, 2004

Date of Signature

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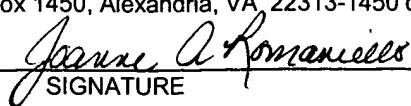
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 29, 2004.

Joanne A. Romaniello  
NAME

  
SIGNATURE

11/29/04  
DATE